

## **EXHIBIT 2**

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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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EUGENIE BOUCHARD,

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PLAINTIFF,

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6

-against-

Case No:  
1:15-CV-5920

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UNITED STATES TENNIS ASSOCIATION, INC. and  
USTA NATIONAL TENNIS CENTER, INC.,

9

DEFENDANTS.

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DATE: November 8, 2016

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TIME: 11:06 A.M.

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VIDEOTAPED DEPOSITION of the

18

Plaintiff, EUGENIE BOUCHARD, taken by the

19

Defendants, pursuant to a Court Order and

20

to the Federal Rules of Civil Procedure,

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held at the offices of Morelli Law Firm,

22

PLLC, 777 Third Avenue, 31st Floor, New

23

York, New York 10017, before Scott

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Torrance, a Notary Public of the State of

25

New York.

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2 A P P E A R A N C E S:

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4 MORELLI RATNER LAW FIRM, PLLLC  
5 Attorneys for the Plaintiff  
6 EUGENIE BOUCAHRD  
7 777 Third Avenue, 31st Floor  
8 New York, New York 10017  
9 BY: BENEDICT MORELLI, ESQ.  
-and-  
PERRY FALICK, ESQ.  
-and-  
DAVID SIROTKIN, ESQ.

10

11 WILSON ELSEER MOSKOWITZ EDELMAN & DICKER, LLP  
12 Attorneys for the Defendants  
13 UNITED STATES TENNIS ASSOCIATION, INC.  
14 and USTA NATIONAL TENNIS CENTER, INC.  
15 1133 Westchester Avenue  
16 White Plains, New York 10604  
17 BY: ROSARIO M. VIGNALI, ESQ.  
-and-  
MARIANNA CODISPOTI, ESQ.  
File #: 12269.00214

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17

18 ALSO PRESENT:  
19 RACHEL D. BOOTH, ESQ.,  
United States Tennis Association;  
20 ROBERT HORGAN, videographer  
21 Diamond Reporting & Legal Video

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1 E. BOUCHARD

2 you know, the biggest grand slam of the  
3 year. So, uh, that was a very tough week.

4 Q. You mentioned a dark room, was  
5 that essentially a hotel room?

6 A. Yes.

7 Q. Was that JW Marriott or back to  
8 the WestHouse?

9 A. I -- I moved again to, uh, the  
10 St. Regis to try --

11 Q. To the St. Regis, okay.

12 A. To have the best conditions I  
13 could have in the room.

14 Q. How many days did you stay at  
15 the -- how many evenings did you stay at  
16 the JW Marriott? Is that just that one?

17 A. That one night.

18 Q. And the next night, was it  
19 WestHouse or St. Regis or something else?

20 A. St. Regis.

21 Q. Okay. Did you eventually get  
22 treated by a doctor later that week?

23 A. Yes.

24 Q. And no secret we've exchanged  
25 medical records, so to help speed things

1 E. BOUCHARD

2 up, was that doctor, I think it's  
3 pronounced Jamie Levine --

4 A. Yes.

5 Q. -- L-E-V-I-N-E?

6 A. Yes.

7 Q. Is that a she?

8 A. Yes.

9 Q. Okay. And that was at NYU  
10 Langone; am I correct?

11 A. Yes.

12 Q. How did you find that doctor?  
13 I mean, how did you find her as opposed to  
14 some other doctor?

15 A. My lawyers recommended I see  
16 her.

17 Q. Okay. And what lawyer was  
18 that?

19 A. Mr. Morelli.

20 Q. Had you -- had you spoken to  
21 Mr. Morelli or someone in his office at --  
22 at that point?

23 A. Uh, yes.

24 Q. About the accident?

25 A. Yes.

1 E. BOUCHARD

2 Q. And he gave you the  
3 recommendation?

4 A. Yes.

5 Q. Okay. When did you speak to  
6 Mr. Morelli or someone from his office?

7 A. I believe it was the Tuesday.

8 Q. Okay. And how did --

9 MR. MORELLI: You mean for the  
10 first time?

11 MR. VIGNALI: For the first  
12 time.

13 MR. MORELLI: You should just  
14 add that.

15 MR. VIGNALI: Well, yes, that's  
16 in the record.

17 Q. Does that sound right, that  
18 Tuesday which -- about September 8th?

19 A. I believe so.

20 Q. Okay. How did you find  
21 Mr. Morelli? I don't mean nice guy or not  
22 a nice guy, how did you find him as opposed  
23 to a different lawyer? Did someone  
24 recommend him to you?

25 A. My -- my agent, um --

1 E. BOUCHARD

2 Q. That would have been  
3 Ms. Smoller?

4 A. Yes.

5 Q. Okay. Now, according to my  
6 notes, that visit to Dr. Levine was on  
7 September 10th, so that would have been one  
8 day shy of one week from your accident,  
9 that Thursday. Does that sound right?

10 A. That sounds right.

11 Q. Okay. Was that visit at her  
12 office?

13 A. Yes.

14 Q. And who did you go there with,  
15 if anyone?

16 A. I went with my mom and I  
17 believe Perry.

18 Q. Okay.

19 MR. MORELLI: Perry Fallick.

20 MR. VIGNALI: Yes. I assume  
21 that's --

22 MR. MORELLI: The new married  
23 man.

24 MR. VIGNALI: Okay.

25 Q. Did Dr. Levine do an MRI for